

BORA LASKIN LAW LIBRARY



3 1761 10084632 8

Law and Poverty

Volume 1

Storage

1F

5114

P6

1987

1987

1987

LAW LIBRARY

FEB 5 1987

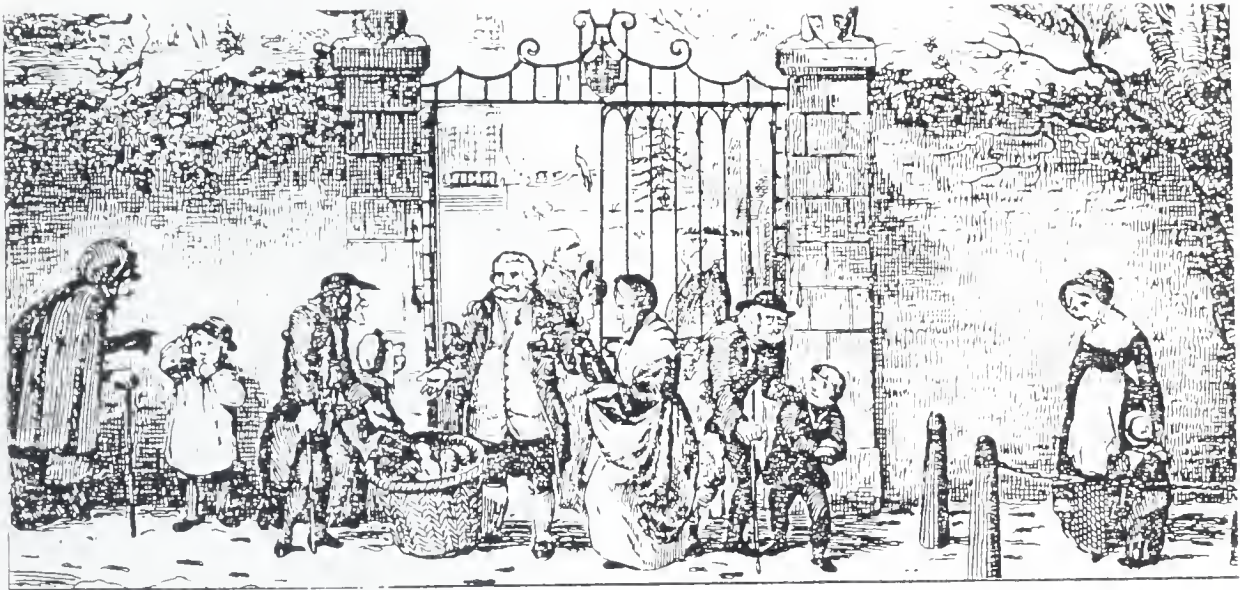
FACULTY OF LAW
UNIVERSITY OF TORONTO

FACULTY OF LAW LIBRARY
UNIVERSITY OF TORONTO

L A W A N D P O V E R T Y

Readings, Problems, and Clinical Exercises

VOLUME ONE




JAMES HATHAWAY

1987

Paul Murray, Editing Assistant
Anne Bunting, Research Assistant

These materials are prepared exclusively for the use of students enrolled in the seminar in Law and Poverty at the Osgoode Hall Law School of York University and at the Faculty of Law of the University of Toronto. They may not be reproduced without the express consent of the author of this book, and that of the author(s) of non-original text as identified herein.



Digitized by the Internet Archive
in 2019 with funding from
University of Toronto

<https://archive.org/details/lawpovertyreadin01hath>

CONTENTS

VOLUME ONE

COURSE DESCRIPTION.....	1
CHAPTER 1: CAN LAWYERS AND SOCIAL WORKERS LEARN TO WORK TOGETHER?.....	4
<u>Introduction</u>	4
National Conference of Lawyers and Social Workers, Interprofessional Relationships at the Graduate School Level: Law and Social Work.....	4
Lau, Lawyers vs. Social Workers: Is Cerebral Hemis- phericity the Culprit?.....	6
Vayda and Satterfield, Social Work and Law: Profes- sional Reference Points.....	11
<u>An Introduction to Law for Social Workers</u>	15
Vayda and Satterfield, A Primer of Law for Social Workers.....	15
<u>An Introduction to Social Work for Lawyers</u>	28
Yelaja, Introduction to the Social Work Profession....	28
Zastrow, Social Work as a Profession and a Career.....	31
CHAPTER 2: THE PROFILE OF POVERTY IN CANADA.....	35
<u>Introduction</u>	35
National Council of Welfare, Poverty Profile.....	35
CHAPTER 3: UNDERSTANDING THE NATURE OF POVERTY: ECONOMIC, CULTURAL, AND STRUCTURAL THEORIES OF POVERTY.....	69
<u>Introduction</u>	69
<u>Economic Definitions of Poverty</u>	70
Ross, The Poverty Lines.....	70
Osberg, Economic Inequality in Canada.....	71
Shifrin, Competing Poverty Lines Will Only Create Confusion.....	76
<u>Cultural Definitions of Poverty</u>	77
Tussing, Poverty in a Dual Economy.....	77
Lewis, The Culture of Poverty.....	80
Valentine, Culture and Poverty.....	86
<u>Structural Definitions of Poverty</u>	88
Beeghley, Living Poorly in America.....	88
Adams, The Renegade Report on Poverty.....	110

CHAPTER 4: TYPOLOGIES OF POVERTY IN CANADA.....	112
<u>Introduction</u>	112
<u>Poverty Among Native Peoples</u>	112
Hathaway, Native Canadians and the Criminal Justice System.....	112
LaRoque, Reflections.....	113
Harding, Canada's Indians: A Powerless Minority.....	115
Robertson, Reservations Are For Indians.....	117
Hildebrandt, People Farms.....	117
Kellough, From Colonialism to Economic Imperialism: The Experience of the Canadian Indian.....	119
Borovoy, Indian Poverty in Canada.....	120
<u>Poverty Among Rural Inhabitants</u>	121
Clark, The New Urban Poor.....	121
Schlesinger, Who are our Poor.....	122
Kelly, Farm Workers Put Human Rights Council to Test..	123
Mann, Poverty and Social Policy in Canada.....	123
Branden, A Tough Row to Hoe.....	125
National Farmers Union, Going Broke on the Farm.....	126
<u>Poverty Among the Working Class</u>	128
National Council of Welfare, The Working Poor.....	128
Howell, Hard Living on Clay Street: Portraits of Blue Collar Families.....	129
Ross, The Working Poor: Wage Earners and the Failure of Income Security Policies.....	131
Hemming, Poverty and Incentives.....	132
Djao, Inequality and Social Policy.....	132
<u>Poverty Among Women</u>	133
Abowitz, Data Indicate the Feminization of Poverty in Canada, Too.....	133
Kornblum, Lumping the Poor: What is the Underclass?..	134
National Council of Welfare, Women and Poverty.....	135
Tepperman, Social Mobility in Canada.....	135
Chekki and Hofley, Women and Inequality: Some Indi- cators of Change.....	136
Abowitz, Data Indicate the Feminization of Poverty in Canada, Too.....	137
National Action Committee on the Status of Women, The Persistence of Inequality.....	137
Ehrenreich and Piven, The Feminization of Poverty: When the 'Family-Wage System' Breaks Down.....	138
Chekki and Hofley, Women and Inequality: Some Indi- cators of Change.....	139
Abowitz, Data Indicate the Feminization of Poverty in Canada, Too.....	139
National Action Committee on the Status of Women, The Persistence of Inequality.....	140
Kitchen, Women's Dependence.....	141

<u>Poverty Among the Elderly</u>	141
Novak, Successful Aging: The Myths, Realities, and Future of Aging.....	141
Myles, The Aged, the State, and the Structure of In- equality.....	143
Novak, Successful Aging: The Myths, Realities, and Future of Aging.....	145
Kernaghan and Kuper, Coordination in Canadian Govern- ments: A Case Study of Aging Policy.....	148
 CHAPTER 5: POVERTY AND THE WESTERN SYSTEM OF POWER.....	150
<u>Introduction</u>	150
<u>Written Assignment</u>	150
National Council of Welfare, Fighting Poverty: The Effect of Government Policy.....	151
Djao, Inequality and Social Policy: The Sociology of Welfare.....	158
Okun, Equality and Efficiency: The Big Tradeoff.....	168
Friedman, The Role of Government in a Free Society....	174
 CHAPTER 6: SOCIAL ASSISTANCE.....	176
<u>Introduction</u>	176
<u>Written Assignment</u>	177
A Summary of Social Assistance Jurisprudence.....	178
Howe, Welfare Law and the Welfare Principle in Social Work Practice.....	181
Special Senate Committee on Poverty, Poverty in Canada.....	182
Family Benefits Act.....	184
Family Benefits Regulations.....	195
<u>Simulation Exercise</u>	228
 CHAPTER 7: UNEMPLOYMENT INSURANCE.....	230
<u>Introduction</u>	230
<u>Written Assignment</u>	231
Unemployment Insurance Act.....	231
Kempfer, Disqualifications by Voluntary Leaving and Misconduct.....	235
Potter, Unemployment Insurance: Policies and Prin- ciples of Disqualification and Disentitlement for Benefits.....	246
<u>Simulation Exercise 1</u>	260
<u>Simulation Exercise 2</u>	261
<u>Simulation Exercise 3</u>	263
<u>Simulation Exercise 4</u>	264

